

ORIGINAL

DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED
MAY 9 1997
Federal Communications Commission
Office of Secretary

In the Matter of)
)
Amendment of Section 2.106 of the) ET Docket No. 95-18
Commission's Rules to Allocate) RM-7927
Spectrum at 2 GHz for Use) PP-28
by the Mobile-Satellite Service)

**MOTION OF THE MSS COALITION
FOR PERMISSION TO EXCEED
PAGE LIMITATION ON PETITIONS FOR RECONSIDERATION**

Pursuant to Section 1.48(b) of the Commission's Rules of Practice and Procedure, 47 C.F.R. § 1.48(b), Celsat America, Inc. ("Celsat"), COMSAT Corporation ("COMSAT"), Hughes Space and Communications International ("Hughes"), ICO Global Communications ("ICO"), and Personal Communications Satellite Corporation ("PCSAT")¹ (collectively, the "MSS Coalition" or the "Coalition"), by their attorneys, submit this motion for permission to file a petition for partial reconsideration in the above-captioned proceeding that will exceed the page limitation prescribed by Section 1.429(d) of the Commission's rules.

The MSS Coalition intends to file a petition for partial reconsideration of the Commission's March 14, 1997 *First Report and Order and Further Notice of Proposed Rule Making*. While the Coalition will make all reasonable efforts to conform with the 25 page limit set forth in Section 1.429(d) of the Commission's rules as closely as

¹ PCSAT is a wholly owned subsidiary of American Mobile Satellite Corporation.

024

possible, the MSS Coalition anticipates that in order to provide the Commission with a complete and accurate filing addressing the issues requiring reconsideration in this proceeding, it will need to exceed the page limit. The Coalition does not anticipate exceeding the page limit by more than 12 pages.

The issues under consideration in this proceeding include a broad range of complex technical, international, and domestic policy matters. Resolution of these issues will have a significant effect on the future of competition in the mobile communications industry. In order to address these matters properly and cover issues relevant to the five joint petitioners, the Coalition respectfully requests permission to exceed the 25-page limit.

In light of the complexity of the issues involved, and the importance of these issues to the mobile satellite industry generally, and the MSS Coalition specifically, the MSS Coalition submits that it is in the public interest for the Commission to grant permission to exceed the page limit for this filing.² Indeed, even if the Commission grants this request, it will still be receiving substantially fewer pages, by virtue of the consolidated filing by the five members of the Coalition, than if the five individual entities were to file separate petitions for partial reconsideration.

² See *Furnishing of Customer Premises Equipment and Enhanced Services by American Telephone & Telegraph Company*, CC Docket 85-26, 1985 FCC LEXIS 2346, at *1 (Nov. 4, 1985) (extension of page limit granted where proceeding involved complex issues and raised significant issues regarding competition in the market for customer premises equipment).

For all these reasons, the MSS Coalition believes that permission to exceed the page limit set forth in Section 1.429(d) of the Commission's rules is in the public interest and respectfully requests the Commission to grant such permission.

ICO GLOBAL COMMUNICATIONS

By: Cheryl A. Tritt, sra
Cheryl A. Tritt
MORRISON & FOERSTER, LLP
2000 Pennsylvania Avenue, N.W.
Suite 5500
Washington, D.C. 20006
(202) 887-1500

Its Attorney

CELSAT AMERICA, INC.

By: Antoinette Cook-Bush, sra
Antoinette Cook-Bush
Brian Weimer
SKADDEN ARPS SLATE MEAGHER
& FLOM
1440 New York Avenue, N.W.
Washington, D.C. 20005
(202) 371-7000

Its Attorneys

COMSAT CORPORATION

By: Nancy J. Thompson, sra
Nancy J. Thompson
Senior Counsel
COMSAT CORPORATION
6560 Rock Spring Drive
Bethesda, MD 20817
(301) 214-3000

By: Philip V. Permut, sra
Philip V. Permut
Edward A. Yorkgitis, Jr.
KELLEY DRYE & WARREN, LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036
(202) 955-9600

Its Attorneys

PERSONAL COMMUNICATIONS
SATELLITE CORPORATION

Lon C. Levin
Vice President and Regulatory Counsel
PERSONAL COMMUNICATIONS
SATELLITE CORPORATION
10802 Parkridge Boulevard
Reston, VA 22091
(703) 758-6000

By: Bruce D. Jacobs
Bruce D. Jacobs
FISHER, WAYLAND COOPER,
LEADER & ZARAGOZA, LLP
2001 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20006
(202) 775-3543

Its Attorney

HUGHES SPACE AND
COMMUNICATIONS
INTERNATIONAL

By: John P. Janka, Sr.
John P. Janka
LATHAM & WATKINS
1001 Pennsylvania Avenue, N.W.
Suite 1300
Washington, D.C. 20024
(202) 637-2200

Its Attorney

May 9, 1997